

IC 8-1-32.7

Chapter 32.7. Use and Provision of Communications Service by the State

IC 8-1-32.7-1

"Communications service"

Sec. 1. As used in this chapter, "communications service" has the meaning set forth in IC 8-1-32.5-3.

As added by P.L.79-2012, SEC.1.

IC 8-1-32.7-2

"Communications service provider"

Sec. 2. As used in this chapter, "communications service provider" has the meaning set forth in IC 8-1-32.5-4.

As added by P.L.79-2012, SEC.1.

IC 8-1-32.7-3

"I-Light"

Sec. 3. As used in this chapter, "I-Light" refers to the high speed communications network that connects state educational institutions and private postsecondary educational institutions throughout Indiana. The term includes the networks, and any successor networks, known at any time as I-Light or I-Light 2, or any other version or iteration of those names, or by any other designation.

As added by P.L.79-2012, SEC.1.

IC 8-1-32.7-4

"State"

Sec. 4. (a) As used in this chapter, "state" means the state of Indiana and any officer, agency, department, board, bureau, commission, division, or institution of the state of Indiana, the trustees or board of directors of any instrumentality of the state of Indiana or body politic of the state of Indiana, and the trustees of any state educational institution.

(b) The term includes a state agency or other instrumentality of state government that holds the contract for the state's indefeasible right of use to I-Light.

As added by P.L.79-2012, SEC.1.

IC 8-1-32.7-5

Use of I-Light to provide communications service prohibited; exceptions; existing contractual obligations

Sec. 5. (a) Except as provided in subsections (b) and (c) and in IC 21-28-5, after March 31, 2012, I-Light may not be used to offer or provide, directly or indirectly, communications service to the public or to any private or governmental entity.

(b) This section does not prohibit the use of I-Light for any of the following:

(1) The provision of communications service to the extent used solely for 911 service, enhanced 911 service, or any other emergency or law enforcement purpose.

(2) The provision of communications service to a state educational institution or a private postsecondary educational institution in furtherance of education or research for the direct benefit of students, faculty, or staff. The provision of communications service under this subdivision may include the provision of communications service to a person that is not a state educational institution or a private postsecondary educational institution if:

(A) the person has a research and development relationship with a state educational institution or a private postsecondary educational institution; and

(B) the communications service required by and provided to the person:

(i) is a one (1) gigabit per second or greater network connection;

(ii) is used in furtherance of the research and development relationship only;

(iii) is provided only for a specific research and development project;

(iv) is provided only for the limited duration of the specific research and development project; and

(v) is not provided in competition with private sector communications service providers' provision of communications service.

(3) The provision of communications service to member licensees of Indiana Public Broadcasting Stations, Inc., for the direct benefit of public broadcasting.

(c) Notwithstanding subsection (a), the state remains subject to any contractual rights, duties, and obligations incurred by the state and owed to any private person under a contract for the provision of communications service that was entered into by the state before April 1, 2012, and that remains in effect after March 31, 2012. All liens, security interests, royalties, and other contracts, rights, and interests owed to a private person under the contract continue in full force and effect and must be paid or performed by the state in the manner specified in the contract, subject to the right of the state and all other contracting parties to renegotiate the terms of the contract at any time before the expiration of the contract.

As added by P.L.79-2012, SEC.1.